

THE WESTERN UNION ALARMED

It Is Quite Anxious for Its Line on
the Union Pacific.

WILL THE LATTER SEIZE THE

the Railroad From Freezing Out
Mr. Gould Between the Mis-
souri and the Coast.

A very important suit was yesterday morning begun in the United States court in which the Western Union acts as the plaintiff and the Western Pacific company the defendant. In brief, the former asserts to fear that the latter intends to dispossess it of the telegraph lines which parallel the Union Pacific line and has sought an injunction to restrain the latter from so doing. There is some mystery covered up by this move, because, up to the present, few, if any, persons have heard of such an intent on the part of the Union Pa-

right of the railroad to allow a private corporation to conduct a telegraphic business, which the charter compelled the road to conduct has been questioned. It has been sug-

The complaint contains 155 specifications, and is in pamphlet form. The plaintiff states that it was duly incorporated by an act of the legislature of New York, April 12,

the United States Telegraph company, United States Extension Telegraph company, Atlantic and Pacific telegraph company, Independent telegraph company, Overland telegraph company. It alleges that by virtue of this, each of said companies was empowered to construct telegraph lines between the Missouri river and the Pacific coast; that the Union Pacific railway company was incorporated by an act of congress entitled an act "to aid in the construction of a railroad and telegraph line be-

occur; that on June 10, 1850, congress passed an act facilitating communication across the continent by electric telegraphy; that in and by said act, a compensation of not more than \$40,000 per annum for ten years was granted to the party whose proposal should be accepted, and who should build said telegraph lines; that said plaintiff fully appreciated the great importance of the proposed enter-

tion the question of emulating therein and caused careful and elaborate explorations to be made then but little known between the said points. Accordingly Hiram Sidney who was then president of the company, bringing suit to submit a proposal to the government, which was accepted, that in carrying out the project, the company associated itself with the Pacific Telegraph company and the California State Telegraph company for the purpose of constructing said line. The initial point was at St. Joseph, Mo., and thence via Omaha to St. Louis, where, that time, every

the Union Pacific subsequently availed itself of this route in the construction of its lines; that in 1894 the Pacific Telegraph company, and in 1895 the California State Telegraph company and the Overland company became consolidated with the plaintiff, which thereby endowed the said plaintiff with all the franchise thus created and obtained, among which was the right to operate said lines, and also to remove to and upon the right of way and along the tracks of the defendant, and to make an arrangement with

should be in need of and should satisfy the requirements of the act so created by congress. At the time the plaintiff owned or operated lines of telegraph extending from St. Joseph, Mo., to the cities of Washington, New York, New Orleans, Charleston, Philadelphia, Boston and all the other cities in the Atlantic, southern and eastern states; also owning certain indisputable patents for electric telegraph which were used in the operation of said lines, that when congress came to follow the course that was then commencing liberality and to restrict

pose of facilitating communication, it was manifest that it would be in the highest degree unjust to the plaintiff for the government to encourage the maintenance of another telegraph line in close proximity and in consequence the defendant was authorized to enter into agreement with plaintiff so that the plaintiff would move its lines along the said route of defendant as fast as the latter so completed; and that said plaintiff did comply with said act. After this the rail way

ing used jointly, was impaired, and in consequence, made an indenture September, 1889, of a lease of its lines to the Atlantic & Pacific Telegraph company, for which lease said company gave to the defendant large and valuable considerations; that having for some reason become dissatisfied with said lease and the operation of said line thereunder, and desiring to avoid its obligations, on or about March, 1890, the said defendant, under plea that such an act was justified and required by its charter and obligations

ated independent stations at Omaha, Fremont, Grand Island, Cheyenne and Ogden, and has also kept batteries supplied along the line used by defendant, that plaintiff has strung three wires from Omaha to North Platte and two beyond the latter point for the use of said defendant, and five wires, and in some places, more for himself, that in the work above mentioned \$287,272.14 have been expended and the defendant has only reimbursed the plaintiff to the extent of \$21,603.17. The complainant so cites that

that defendant was contemplating violent and decisive acts in derogation of said contract and was likely at an early day to sever the said telegraph lines as well as those between Omaha and Ogden and Kansas City and Denver and open up said lines under its own operation, a damage in which action will result to the plaintiff of more than \$100,000 annually. For this reason, a writ of injunction is asked enjoining its defendants from the use of said telegraph system and also a writ of subpoena commanding the defendant

"The Union Pacific wishes to abide by the recent act of congress, and the Western Union Telegraph," said a Union Pacific official. "The Western Union is working under a contract made with the Union Pacific in 1881, with twenty-five years to run from that date. The act passed in congress last August, requires the Union Pacific to operate its own lines, and it will be done. Of course, it will annul the prior contract so far as the subsidiary portion of the road is concerned, but

the Union Pacific proposes to abide by the law. An act of congress stands above any contract. We have our own wires for the transaction of railway and government business, and are always prepared to send a private message at our rates if offered to us, and that is the way the matter stands."

The French Budget Adopted.
Paris, Dec. 10.—The chamber of deputies to-day adopted the budget by a vote of 583 to 115. The amount of the sinking fund is fixed at 27,000,000 francs.

